

### **REMARKS**

The Examiner required restriction of the claims to one of 14 Groups.

While continuing to traverse the restriction requirement, Applicant has chosen to elect Group 5, claims 247-249, drawn to a method of modulating blood cell formation. Applicant also elects modulating blood cell formation as inducing hematopoiesis, and the blood cell stimulating factor of thrombopoietin. However, Applicant feels that searching all of the different types of blood cell formation modulation and all of the factors would not represent an undue burden.

Applicant has further chosen to elect the specific peptide of SEQ ID NO:27. However, Applicant notes that it would not result in an unduly difficult or time consuming search to also include the following sequences: SEQ ID NOs: 28-30. In particular, Applicant notes that SEQ ID NO: 28 only differs from SEQ ID NO:27 by having one fewer amino acid.

Application Serial No.: 10/591,405  
Response dated: July 13 2010  
Page 3 of 3

Conclusions

The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Respectfully submitted,

/D'vorah Graeser, Reg No 40,000/

Dvorah Graeser

Agent for Applicant(s)

Registration No. 40,000

Dated: July 13, 2010